



DISTRICT OF COLUMBIA  
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL

December 8, 2020

██████████  
████████████████████

RE: Letter of Response for Grievance #2565 filed on November 6, 2018

Dear ██████████:

In accordance with 24 DCMR Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations, DC Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its investigation of the above referenced written grievance.

**Grievance Issues**

We acknowledge that there has been a lapse in time since the filing of this grievance. Based on a review of the information provided, the written grievance raised the following issues under the jurisdiction of this office:

1. **5-B DCMR 2405.2(c):** Where it is alleged that any student or group of students is being subjected to an arbitrary or unreasonable regulation, procedure, or standard of conduct. You allege the following during the years ██████████:
  - a. ██████████ Principal ██████ failed to intervene regarding various incidents involving staff pinching, pulling or pushing Student ██████ and at least one incident where another student bit Student ██████. Additionally, Principal ██████ told you to “look for another school” for Student ██████ and placed Student ██████ in outdoor classrooms.
  - b. After being on a waitlist for two years, Student ██████ was denied entry to the aftercare program reportedly due to Student ██████’s behavior.
  - c. ██████████ failed to properly implement Student ██████’s IEP.

**Investigative Procedure**

The investigation included communication with the following individuals:

1. Parent of ██████████
2. ██████, DCPS Manager of Partner Engagement
3. ██████, Principal at ██████████

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4. [REDACTED], Director of Extended Day Program at [REDACTED]

The investigation also included review of the following documents which were either submitted by the complainant, submitted by the school, or accessible via DCPS data systems:

1. Student Behavior Tracker (SBT) - DCPS Student Discipline Database
2. SEDS – DCPS Special Education Database
3. Memorandum of Agreement between DCPS and [REDACTED] Extended Day Program

### **General Findings of Fact**

The following findings of fact resulted from the investigation:

1. You reported that Student [REDACTED] was on the waitlist for the aftercare program at [REDACTED] for two years. You reported that when Student [REDACTED] got to the top of the waitlist, she was denied admittance due to behavior concerns.
2. You reported that you had email correspondence documenting Student's [REDACTED]'s denial into the aftercare program. To date, DCPS CARE has not received a copy of the email correspondence.
3. [REDACTED], Director of Extended Day Program at [REDACTED] reported to DCPS CARE that their program does not deny admittance to students based on behavior. Further, Director [REDACTED] stated that they have no information regarding Student [REDACTED]'s being denied admittance based on behavior issues.

### **Discussion/Conclusion**

1. As it relates to the allegations against [REDACTED] staff, DCPS has taken the following action:

A referral was sent to Labor Management Employee Relations (LMER) on [REDACTED], for the review and investigation of these allegations. Their findings and any disciplinary actions will remain confidential due to employee privacy guidelines.

DCPS will review all available information related to this incident to determine whether employee misconduct has occurred. Although DCPS appreciates your need to know the results of its review, we are unable to share the results of personnel investigations, including any employee disciplinary action that may have been taken, because this information is contained in confidential employee records.

2. As it relates to the allegation that Student [REDACTED] was denied access to the aftercare program, DCPS CARE is unable to substantiate **5-B DCMR 2405.2(c)**. You reported that your student was denied access to the aftercare program due to behavior issues. Denying students access to aftercare programs due to behavior is prohibited. [REDACTED], Director of Extended Day Program at [REDACTED] reported to DCPS CARE that their program does not deny admittance to students based on behavior. Due to conflicting reports and limited information, DCPS CARE does not have sufficient evidence

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to conclusively state that Student [REDACTED] was denied entry into the Extended Day Program at [REDACTED] based on behavior issues.

3. As it relates to the implementation of [REDACTED]'s IEP, DCPS CARE withholds issuing a finding on **5-B 2405.2(c)**. DCPS CARE does not have jurisdiction to issue official findings related to IEP implementation. On [REDACTED], DCPS CARE made a referral to the DCPS Monitoring and School Support team for review of this matter. The Monitoring and School Support team confirmed that they received the referral on [REDACTED].

For more information regarding your student's IEP and the Individuals with Disabilities Education Amendment Act (IDEA), you may also contact DCPS Monitoring and School Support Team at [dcps.spedconcerns@k12.dc.gov](mailto:dcps.spedconcerns@k12.dc.gov).

In order to address these concerns, DCPS will do the following:

1. By [REDACTED] Extended Day Program at [REDACTED] will review their acceptance procedures to ensure that students are not denied admittance due to behavior concerns or their disability.

If you are not satisfied with the outcome, you have the right to file an appeal. Appeals must be submitted in writing and received within 10 calendar days of receipt of this notice. Please submit appeal requests to the Office of Integrity via U.S. Postal Mail to 1200 First St., NE, 10<sup>th</sup> Floor; Attn: CIO or via email at [dcps.cio@k12.dc.gov](mailto:dcps.cio@k12.dc.gov). You may also contact the U.S. Department of Education, Office for Civil Rights (1-800-421-3481) to report any educational discrimination.

If you have further questions, please do not hesitate to contact us at [dcps.care@k12.dc.gov](mailto:dcps.care@k12.dc.gov) or 202.442.5405.

Sincerely,



Anitra Allen, Director CARE

cc: Principal  
Instructional Superintendent